

UNITED STATES DISTRICT COURT
for the
DISTRICT OF OREGON

CHRIS E. THOMPSON, trustee of the Grizzly
Peak Investors, Inc. Defined Benefit
Retirement Plan, PETER M. SCHARFF, an
individual,

Plaintiffs,

v.

TIMOTHY WALKER, an individual, LINDA
SMITHIES-WALKER, an individual, PUGET
SOUND IRON WORKS, INC., a Washington
corporation, SEAPORT DEVELOPMENT,
LLC, a Washington limited liability
company,

Defendants.

Civil Action No. 3:09-CV-508-JE

JUDGMENT


This action was determined on summary judgment and the following decision was reached:

It is ordered that the plaintiff, Peter M. Scharff, for himself and as successor trustee of the Grizzly Peak Investors, Inc. Defined Benefit Retirement Plan ("Plaintiff"), recover from the defendants, Timothy Walker, Linda Smithies-Walker, Puget Sound Iron Works, Inc., and Seaport Development, LLC ("Defendants"), the amount of ~~\$1,152,252.10~~ ^{\$1,165,177.17} as of ~~December 15, 2010,~~ ^{November 19, 2010,} with prejudgment and postjudgment interest accruing at 35%, or \$497.12 per day until paid, along with costs.

It is further ordered that Plaintiff is transferred and assigned all of Defendants' rights, title, and interest in and to all rights in connection with a request for an equitable adjustment with a project which Defendants had with Lake Oswego High School involving general contractor Robinson Construction Co., including but not limited to all of Defendants' rights, title, and interest in the lawsuit of Robinson Construction Co. v. Lake Oswego School Dist. No. 7J, Multnomah County Case No. 0706-06302 (the "Lawsuit"), in the contract entered on or about October 1, 2008, by and between Puget Sound Iron Works and Robinson Construction Co. (the "Contract"), and in any proceeds and/or settlement proceeds from the Lawsuit and the Contract.

It is further ordered that Plaintiff is awarded attorney fees, expenses, and costs incurred in these proceedings and in collection of the debt, in an amount to be determined pursuant to FRCP 54.

DATED this 15 day of December, 2010.


 Anna J. Brown
 United States District Judge

Submitted By:

Corey Tolliver, OSB #075500
 mm@pmblaw.com
 Powers, McCulloch & Bennett, LLP
 1300 SW Fifth Avenue, Suite 1720
 Portland, OR 97201
 Telephone: 503-228-8588
 Facsimile: 503-228-0057
 Of Attorneys for Plaintiffs.